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Attorneys for Defendant Maxim  
Integrated Products, Inc.

Attorney for Plaintiff Gregory Bender

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Gregory Bender,

Plaintiff,

v.

Maxim Integrated Products, Inc.,

Defendant.

Case No. C09-01152-SI

**STIPULATION AND [PROPOSED]  
ORDER REGARDING AMENDED  
INFRINGEMENT CONTENTIONS**

Plaintiff Gregory Bender ("Plaintiff") and Defendant Maxim Integrated Products, Inc, ("Defendant"), through their respective counsel, hereby make the following stipulation with regards to Plaintiff's infringement contentions.

WHEREAS on September 29, 2009, Plaintiff served his infringement contentions on Defendant.

WHEREAS, on October 19, 2009, Defendant filed a motion to compel more detailed infringement contentions from Plaintiff (D.I. 24). Said motion is still in the briefing phase.

WHEREAS, the Court has granted Defendant temporarily relief from its discovery obligations pending resolution of this issue in its order dated October 28, 2009 (D.I. 34).

WHEREAS, Plaintiff has agreed to amend his contentions, and

1 WHEREAS, Defendant has agreed to withdraw its motion to compel, without prejudice,  
2 pending receipt of the forthcoming amended contentions.

3 THE PARTIES HEREBY STIPULATE THAT:

4 Plaintiff shall serve amended infringement contentions on or before **December 18, 2009**.

5 Defendant shall withdraw its motion to compel amended infringement contentions,  
6 without prejudice to re-filing once it receives the amended contentions.

7 Defendant's obligations under Patent L.R. 3-3 and 3-4 shall be due 45 days from receipt  
8 of Plaintiff's amended contentions unless Defendant renews its motion to compel within 14 days.

9 The Court's previous order granting Defendant temporary relief from its discovery  
10 obligations (D.I. 34) shall remain in place until the dispute is resolved.

11 Respectfully submitted,

12 Dated: November 17, 2009

Jones Day

13 By: /s/ Gregory Lippetz

14 Greg L. Lippetz  
15 State Bar No. 154228  
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17 1755 Embarcadero Road  
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21 Counsel for Defendant Maxim Integrated  
22 Products, Inc.

23 In accordance with General Order No. 45, Section X(B), the above signatory attests that  
24 concurrence in the filing of this document has been obtained from the signatory below.

25 Dated: November 17, 2009

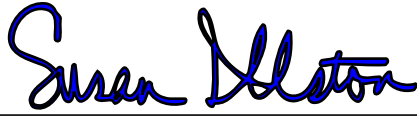
26 By: /s/ David Kuhn

27 David N. Kuhn  
28 Attorney-at-Law  
144 Hagar Avenue  
Piedmont, California 94611  
Telephone: (510) 653-4983

Counsel for Plaintiff Gregory Bender

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2 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

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5 DATED: \_\_\_\_\_, 2009

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13 By:   
14 THE HON. SUSAN ILLSTON  
15 United States District Court Judge  
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